

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JAMES NICHOLSON,

Defendant.

No. 09-cr-414 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of a letter, dated June 21, 2023, from Defendant James Nicholson, requesting permission to file an oversized memorandum of law in support of Nicholson's motion for a sentencing reduction pursuant to 18 U.S.C. § 3582(c)(1)(A). (Doc. No. 113.) In light of the volume of materials relevant to Nicholson's motion (*see* Doc. Nos. 111, 114), the request to file an oversized brief of thirty-four pages is GRANTED. IT IS HEREBY ORDERED that the government shall file a response to Nicholson's motion – addressing, among any other issues that the government sees fit, whether Nicholson has complied with the procedural requirements of section 3582(c)(1)(A) – no later than July 26, 2023. (*See* Doc. No. 114 at 5.) IT IS FURTHER ORDERED that Nicholson shall file his reply, if any, by August 26, 2023.

IT IS FURTHER ORDERED that the government shall notify victims, including those who previously made submissions or spoke at Nicholson's initial sentencing, of Nicholson's motion for compassionate release. The government shall apprise the Court of all victims who wish to be heard in connection with the pending motion and shall attach all written victim statements, with proper redactions, to its July 26, 2023 submission. In the event that additional victim statements are received after July 26, the government shall forward those statements, with proper redactions, to the Court via the Court's Electronic Case Filing system.

The Clerk of Court is respectfully directed to terminate the motion pending at document number 113.

SO ORDERED.

Dated: June 26, 2023
New York, New York

A handwritten signature in blue ink, appearing to read 'R. Sullivan', is written over a horizontal line.

RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation